

FILED - USDC -NH
2024 JUN 14 AM 9:26

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

Michael Sean Speight

V.

Civil No. **1:24-cv-00055**
Chief Judge Landya B. McCafferty

Amanda Kaelblein
Michael Kaelblein
Nancy Kaelblein
George Phelan(Professional, individual capacity)
Eric Stephanie(Professional, individual capacity)

**MOTION RULE 60 –RELIEF FROM A JUDGEMENT OR ORDER TO
EXTEND TIME TO ANSWER/ SET ASIDE DEFAULT ON MICHAEL
KAELBLEIN AND NANCY KAELBLEIN ON JUNE 12,2024.**

Under Rule 60 the plaintiff requested the extension of time be recanted, the plaintiff was not given an opportunity to respond which is fundamental to procedural Due Process all parties shall be given a opportunity to object to any motion filed.

Furthermore, the plaintiff is preserving his right for Appeal on this issue, by granting their motion it prejudices the plaintiffs case, we are all held to the same federal rules and procedures.

The plaintiff served these defendants all documents required by Court, the docket entry reflects this.

1. The defendants were served in hand by the Middlesex Sheriff's Office on April 23,24, 2024.
2. The defendants daughter Amanda Kaelblein was also served on March 14,2024 with the Complaint in Woburn Probate Court, which She resides in the same residence as Michael and Nancy.
3. These defendants have known about this Complaint for over 90 days and failed to answer.
4. These defendants are trying to mislead the Court, as they have helped Amanda Kaelblein in the past.
5. Attorney Fontaine filed this motion on June 5,2024, as a trained attorney who did not contact the plaintiff and ask if I ascend for an extension of time until after she filed it is unprofessional . The plaintiff only found out of the motion on the Court website, which is another reason the defendants motion should be vacated.


The plaintiff request this Court to set aside its order and let the plaintiff and defendants move for conference on discovery in the interest of justice.

And/or set a hearing date and summons in AMANDA, MICHAEL, AND NANCY Kaelblein and under oath ask them if they saw the complaint on March 14, 2024 and they receive the summons, and summons the Middlesex Sheriff that served them with the summons and complaint in the interest of justice, and stay the order to extend time to answer until this matter is cleared up.

For the reason stated in this motion, this Honorable Court should be granted.

Date

6/14/24


Michael Sean Speight
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